

REMARKS

Claims 1-4, 7-9, and 12-21 are presented for the Examiner. Claims 1, 12, and 18 are independent. Dependent claims 19-21 have been added in this response. The Examiner is respectfully thanked for the consideration given in the Examiner's detailed comments associated with the Advisory Action dated February 5, 2008.

In view of the Examiner's comments, the claims of the present application have been amended to clarify that the data communication range of the imaging communication device is within the imaging angle of view of the imaging means of claim 1. In this manner, the imaging communication device carried by the user is used to actuate the imaging means.

The Moores reference relied on by the Examiner teaches various manners of actuating a camera. As recognized by the Examiner, the Moores reference utilizes an infrared light beam to enable actuation of the camera while the skier is within the field of view of the camera, and also recognizes that a button or switch may be utilized by the skier to enable taking of pictures, for example, within a ski lift gondola. While the Moores reference suggests that the RFID tag of a respective skier could "trigger the camera to begin capturing a sequence of images of the user within its field of view" there is no suggestion of how this may be accomplished in the Moores reference. Presumably, to the extent this may be accomplished, it is accomplished by the RFID reader sensing the skier whether or not within the camera field of view. However, the claims of the present application contemplate that the image communication device will be sensed only within the field of view of the camera during normal operation. Thus, the claims of the present application distinguish over the rejection combination applied by the Examiner.

New dependent claims 19-21 of the present application further highlight this difference between the reference applied by the Examiner and the present application in that they specify that the communication device has a directional angle of communication which produces a sensing area substantially within the angle of view of the camera or other imaging device. The Moores reference does not suggest providing a directional angle of communication of the RFID

reader so as to meet these claims. Thus, these claims are believed patentable over the Moores reference.

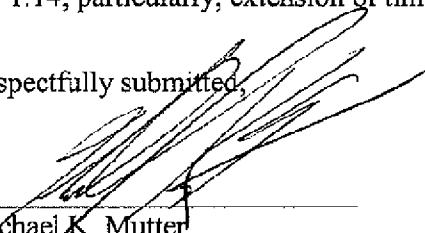
For all of the above-stated reasons, reconsideration and withdrawal of the outstanding rejections and allowance of all claims are requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Michael K. Mutter, Reg. No. 29,680 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,


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